


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FILED
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U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY 

TEXAS DEMOCRATIC PARTY, et al.,
Plaintiffs,

-vs-

Case No. A-06-CA-459-SS

TINA J. BENKISER, in her capacity as
Chairwoman of the Republican Party of Texas,
Defendant.

JUDGMENT

BE IT REMEMBERED on the 26th day of June 2006, the Court called the above-captioned matter, and all parties appeared through counsel and announced ready for trial. Trial began and concluded on June 26, 2006, and thereafter the Court issued written findings of fact and conclusions of law. Based on those findings of fact and conclusions of law, the Court now enters the following final judgment:

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that judgment be entered in favor of Plaintiffs and that Defendant and anyone acting in concert with her, on her behalf, or at her direction is permanently enjoined and restrained from:

1. Declaring Tom DeLay ineligible as the Republican candidate for the general election ballot for United States House of Representatives from Texas District 22 to be held on November 7, 2006;

2. Certifying to the Texas Secretary of State any candidate other than Tom DeLay to appear on the ballot in the 2006 general election as the Republican Party nominee for the United States House of Representatives from Texas District 22; and
3. Certifying to the Texas Secretary of State that Tom DeLay is ineligible to be the Republican Party nominee for the United States House of Representatives from Texas District 22, or if she has already done so, Defendant is enjoined to withdraw any certification that Tom DeLay is ineligible.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Tom DeLay is not ineligible to be the Republican Party nominee for the United States House of Representatives from Texas District 22 and that any previous declaration of ineligibility made by Benkiser is void.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Texas Secretary of State or any other official shall not remove or cause to be removed the name of Tom DeLay as the Republican candidate for District 22 of the United States House of Representatives from the ballot for the general election to be held on November 7, 2006 unless Tom DeLay withdraws as a candidate pursuant to Texas Election Code § 145.001 or upon further order of this Court. Plaintiffs are ordered to serve a copy of this order on the Texas Secretary of State and to file with the Court a return confirming such service.

IT IS FINALLY ORDERED, ADJUDGED, AND DECREED that the Clerk is directed to enter this final judgment immediately, and that Plaintiffs go hence without delay and with their costs, for which let execution issue against Defendant.

SIGNED this the 6th day of July 2006.



SAM SPARKS
UNITED STATES DISTRICT JUDGE